IN THE HIGH COURT OF JUDICATURE AT PATNA
CR. WJC No.888 of 2007
HEMA DEVI
Versus
THE STATE OF BIHAR & ORS
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3 21.10.2008 Heard learned counsel for the petitioner and learned counsel for the State as well as learned counsel appearing on behalf of respondents 7 to 10.

In the instant writ petition the petitioner prays for quashing the F.I.R. of Jagdishpur P.S. Case No.136 of 2007 instituted upon a written report of B.D.O., Jagdishpur, District Bhagalpur vide his letter no.1066 dated 27.7.2007 attributing offence under sections 467, 468, 471, 420 of the Penal Code.

It is alleged that the petitioner obtained a fake caste certificate in her name on the basis of false information supplied by her that she belonged to scheduled castes though her father belonged to Koiri caste. Thus on the basis of such fake caste certificate she contested the Gram Panchayat election, 2006 for the post of Mukhiya successfully.

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Learned counsel for the petitioner submits that the allegations attributed against her are false. He submits that the cancellation of her caste certificate by the B.D.O., Jagdishpur has been stayed by this court in a writ petition preferred on behalf of the petitioner.

Learned counsel for the State Election Commission as well as learned counsel for the State submits that the cancellation of the caste certificate is subjudiced in a writ petition and as such nothing

authoritatively can be said either way.

Having considered the facts and circumstances of the case, this court finds that the instant writ petition is pre-matured one and as such this writ petition is permitted to be withdrawn with liberty to move appropriate forum in accordance with law.

(S.P.Singh,J)

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